

REMARKS

Overview

Claims 15-17 and 21 have been rejected as being anticipated under 35 U.S.C. § 102 by Rotharmel. Claims 22, 26 and 27 have been rejected under 35 U.S.C. § 102 as being anticipated by Rotharmel. Claims 3, 4, 7, 10-12, 18, 19, 20, 23-25 and 28 have been allowed. Claims 1, 2, 8, 9, 13 and 14 have previously been cancelled. Applicant respectfully traverses the rejections of the claims, and requests reconsideration of the claims, as amended.

Independent claim 21 has been amended to provide that the legs of the purlin clip each extend "from and beneath the body" to form a lower channel. Claim 21 further provides that the legs extend toward one another. Rotharmel does not meet these limitations of claim 21.

The Examiner cites legs 50, 51 of Rotharmel, including the sections 60A, 60B and 60C, such that "leg" 50 extends toward "leg" 51. In actuality, the so-called "legs" 50 and 51 are one continuous structure, and thus only form one leg extending from the body. Furthermore, leg "50" does not extend from the body 26, but rather extends from the leg 51. Thus, "legs 50, 51" of Rotharmel do not each extend from the body, as required by claim 1. If the legs 50, 50 or 51, 51 on opposites of the Rotharmel body 26 are considered, these legs do not extend toward one another, as required by claim 21.

Accordingly, claim 21 distinguishes over Rotharmel so as to be in proper form for allowance. Applicant notes that claim 21 as previously submitted was merely a rewrite of original claim 14, which was deemed in the first Office Action to be allowable if written in independent form. Claims 15-17 depend from claim 21, and should be allowable as depending from an allowable base claim.

Independent claim 22 has been amended to provide that the upper channel formed by the arm extending over the body has "at least three sides". In comparison, the body 26 and arm 40 of Rotharmel form an L-shape, which arguably is not a channel, and certainly is not a channel having at least three sides, as required by amended claim 22. Also, while the arm 40 of Rotharmel extends above the body 26, the arm 40 does not extend "over the body" in accordance with claim 22. It is further noted that the L-shape formation of the body 26 and the arm 40 of Rotharmel is not adapted to receive a lower flange of a purlin, as required by claim 22. To the contrary, a beam sensor device 80 is bolted to the arm 40. The beam sensor 80 is not a flange of a purlin.

Accordingly, claim 22 distinguishes over Rotharmel so as to be in proper form for allowance. Claims 26 and 27 depend from claim 22, and should be allowable as depending from an allowable base claim. It is noted that claim 22 was merely a rewrite of allowable claim 16 in independent form, and thus was believed to be allowable as originally submitted.

Amendment to the Drawings

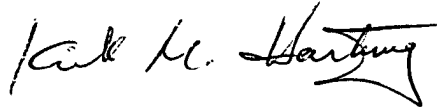
Applicant has discovered a minor reference error in the drawings. In particular, in Figure 2, the lead line for reference numeral 40 is too long. Accordingly, Applicant has amended the lead line of reference numeral 40 in Figure 2. Applicant has also added reference numeral 40 in Figures 3 and 4, for clarity. Finally, reference numeral 32 has been added to Figure 2, for clarity. Approval of these drawing corrections is respectfully requested.

Conclusion

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



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